

Document: Final Rule

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**TITLE 345 INDIANA STATE BOARD OF
ANIMAL HEALTH**

LSA Document #00-100(F)

DIGEST

Amends 345 IAC 4 to update rules governing Indiana's participation in the National Poultry Improvement Plan. Effective 30 days after filing with the secretary of state.

345 IAC 4-4-1

345 IAC 4-4-2

345 IAC 4-4-3

SECTION 1. 345 IAC 4-4-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 4-4-1 National Poultry Improvement Plan; adoption by reference

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-19

Sec. 1. The ~~Indiana state board of animal health~~ adopts and incorporates by reference **as rules of the board** the United States Department of Agriculture National Poultry Improvement Plan **in 9 CFR Part 145** and the auxiliary provisions ~~effective April 1996 as rules of in 9 CFR Part 147, that are in effect on January 1, 2000, and the board amendments thereto in 65 FR 8014 through 65 FR 8023. But, 9 CFR Part 147, Subpart E and any amendments thereto are not incorporated by reference.~~ *(Indiana State Board of Animal Health; 345 IAC 4-4-1; filed Oct 11, 1996, 2:00 p.m.: 20 IR 750; filed Dec 10, 1997, 11:00 a.m.: 21 IR 1327; filed Dec 18, 2000, 9:57 a.m.: 24 IR 1341)*

SECTION 2. 345 IAC 4-4-2 IS ADDED TO READ AS FOLLOWS:

345 IAC 4-4-2 Definitions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-4; IC 15-2.1-18-19

Sec. 2. (a) The definitions in 9 CFR 145.1 and this section apply throughout this article. Definitions in this section shall control over conflicting definitions in 9 CFR 145.1.

(b) "Board" means the Indiana state board of animal health appointed under IC 15-2.1-3 and its official agents.

(c) "National Poultry Improvement Plan" and "NPIP" means the National Poultry Improvement Plan program adopted by reference in section 1 of this rule.

(d) "Official state agency" means the Indiana state poultry association appointed under IC 15-2.1-18-19.

(e) "State animal disease control official" means the state veterinarian.

(f) "State veterinarian" means the Indiana state veterinarian appointed under IC 15-2.1-4. *(Indiana State Board of Animal Health; 345 IAC 4-4-2; filed Dec 18, 2000, 9:57 a.m.: 24 IR 1341)*

SECTION 3. 345 IAC 4-4-3 IS ADDED TO READ AS FOLLOWS:

345 IAC 4-4-3 Cooperation and authority

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-19

Sec. 3. The state veterinarian shall cooperate with the official state agency in administering the provisions of the National Poultry Improvement Plan. The state veterinarian may initiate proceedings to enforce the provisions of the National Poultry Improvement Plan upon request of the official state agency. (Indiana State Board of Animal Health; 345 IA C 4-4-3; filed Dec 18, 2000, 9:57 a.m.: 24 IR 1342)

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Notice of Intent Published: 23 IR 2263

Proposed Rule Published: September 1, 2000; 23 IR 3159

Hearing Held: October 12, 2000

Approved by Attorney General: December 1, 2000

Approved by Governor: December 14, 2000

Filed with Secretary of State: December 18, 2000, 9:57 a.m.

Incorporated Documents Filed with Secretary of State: None